

## REMARKS/ARGUMENTS

In the Office Action mailed March 5, 2008, claims 1, 6, and 11 were rejected. Additionally, claims 2 – 5 and 7 – 10 were objected to, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicant has amended claims 1, 3, 4, 6, 8, and 9 and hereby requests reconsideration of the application in view of the amendments and the below-provided remarks.

### Allowable Subject Matter

Applicant appreciates the Examiner's review of and determination that claims 2 – 5 and 7 – 10 recite allowable subject matter. In particular, the Office Action states that claims 2 – 5 and 7 – 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In response, Applicant has amended claim 1 to incorporate all of the limitations of claim 2. Because amended claim 1 includes all of the limitations of claim 2, Applicant asserts that amended claim 1 is in allowable condition. Claim 2 has been canceled and claims 3 and 4 have been amended to refer to claim 1. Claim 4 is also amended to correct a typographical error. Claims 3 – 5 are allowable at least based on an allowable claim 1.

Applicant has also amended claim 6 to incorporate all of the limitations of claim 7. Because amended claim 6 includes all of the limitations of claim 7, Applicant asserts that amended claim 6 is in allowable condition. Claim 7 has been canceled and claims 8 and 9 have been amended to refer to claim 6. Claims 8 – 10 are allowable at least based on an allowable claim 6.

Additionally, while the Office Action provides a statement of reasons for the indication of allowable subject matter, the Office Action's statement is directed to specific aspects of certain claims and not necessarily all of the claims. Applicant notes that the Office Action's comments may have paraphrased the language of the claims and it should be understood that the language of the claims themselves set out the scope of the

claims. Thus, it is noted that the claim language should be viewed in light of the exact language of the claim rather than any paraphrasing or implied limitations thereof.

Claim Rejection under 35 U.S.C. 112, first paragraph

Claim 11 is rejected under 35 U.S.C. 112, first paragraph “because it is a single means claim 1.” Applicant points out that claim 11 is dependent on claim 1 and claim 1 additionally recites “storage means,” “readout means,” and “recovery means.” Because claim 11 depends on claim 1 and because claim 1 additionally recites “storage means,” “readout means,” and “recovery means,” Applicant asserts that claim 11 is not a “single means” claim as indicated in the Office action. Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. 112, first paragraph, be withdrawn.

**CONCLUSION**

Applicant respectfully requests reconsideration of the claims in view of the amendments and the remarks made herein. A notice of allowance is earnestly solicited.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **50-3444** pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account **50-3444** under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,

/mark a. wilson/

Date: June 4, 2008

Mark A. Wilson

Reg. No. 43,994

Wilson & Ham  
PMB: 348  
2530 Berryessa Road  
San Jose, CA 95132  
Phone: (925) 249-1300  
Fax: (925) 249-0111